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15. — *Germanische Rechtsdenkmäler, Leges, Capitularia, Formulæ. In Auszügen und Proben mit Einleitung, ergänzenden Geschichtszeugnissen, Anmerkungen und Glossar zum academischen Gebrauche herausgegeben von DR. HEINRICH GOTTFRIED GENGLER.* Erlangen, 1875.

THIS book is the indispensable companion to the work undertaken in common by Messrs. Loersch and Schroeder, noticed in the number of this Review for July, 1874. The happy results attained by the institution of seminaries in Germany, and every day still produced by them, are well known. Under the direction of the professor, the scholar is put in direct communication with the sources,—an exercise which rouses the critical faculty, forms the judgment, and creates historians, instead of addressing itself solely to the memory. Such seminaries have long existed for the study of history proper, but a gap was still remaining in the history of institutions among different people. Considerable and very costly materials were necessary for these practical studies, at least so far as concerned Germanic institutions, and one may say the institutions common to nearly all Europe during the Dark Ages. It must be always difficult for the student to procure the collection of the *Monumenta Historiæ Germanica* of Pertz, the charters of Brequigny-Pardessus, of Beyer, of Lacomblet, etc., etc. If the professor intends that his scholars shall have the opportunity to form an opinion of their own on the value of his assertions he must hold his conferences in his own rooms in order to have a sufficient number of copies, or, indeed, any books at all at hand. Libraries may, indeed, assist him; but under the best of circumstances the work is none the less very troublesome, as the author of this notice can himself testify from personal experience at Berlin, at Göttingen, and elsewhere. With a purely practical purpose, Dr. Gengler now presents in a systematic order the texts of the Merovingian and Carolingian periods, so far as they relate to institutions. The choice of these texts is judicious. They are drawn from the editions which claim highest authority; and although many reservations must be made on the value of the edition of the *Capitularia* in the first volume of the *Leges*, by Pertz, it will still be sufficient for a long time yet for all the needs of young students. Dr. Gengler has prefixed to his extracts an historical introduction to the legislation of the different peoples of the Germanic family, which is well done, and presents the last state of scientific knowledge on each question. No one but an adept can, however, afford to read more than a very little of this introduction at a time, for it is excessively condensed, and assumes

in the reader a considerable familiarity with scientific work. Nor does Mr. Gengler always escape the charge of obscurity; his phrases, as in the old German historical school, are inordinately long (see pp. 21, 24, 25, 26, 32, etc.). We might also object that his chapters on the Celts and the Slavic and Wendish peoples are out of place in an introduction to Germanic institutions. The author has not only given a great deal of valuable information in his notes, but has not in his text limited himself to the merely legal side of his subject. He gives from contemporary historians the passages which throw light on principles of law; not only from the *Germania* of Tacitus but from Gregory of Tours, Einhard, Nithard, etc. The *Leges* are followed by the letter of Hincmar, *De Ordine Palatii*. A selection of formulas relating to transactions of private law, and some other important fragments, close the volume.

Further, Mr. Gengler has increased the value of his collection by adding a Glossary of Technical Terms, borrowing many of the meanings from the latest scientific works, philological, historical, and especially juristic. At best our knowledge of this mediæval Latin, so fluctuating and so little decided, is by no means complete. This Glossary, therefore, is sure to be welcome to students, and it is full enough to be of real value to them, even though a careful examination may detect some omissions; as, for example, meanings for the words *cawarfida*, *gezunfti*, *wargida*, *wiffare*, *mundana lex*, *heristiz*, *marrire*, *tortum* (in its legal sense), *scubia*, *sculca*, *saltarius*, *broilo*, *heriszuph*, *scach*, *scachcator*, *coclearius*, *bauga*, etc. Such imperfections are the inevitable accompaniment of every glossary, and in no way interfere with the thanks due to Mr. Gengler for having brought the study of this very interesting subject within the reach of academic instruction.

M. T.